

NOBLES & DECAROLIS
CRIMINAL DEFENSE & PERSONAL INJURY

James Nobles, Esq.

Brian DeCarolis, Esq.

April 13, 2023

Hon. Richard J. Arcara
United States District Court
2 Niagara Square
Buffalo, NY 14202

Via USPS Mail and
filed on PACER

Re: The People of The State of New York vs. G. Steven Pigeon, 1:17CR00190-001

Dear Judge Arcara,

My name is James Nobles, I am an attorney in Rochester, NY and I represent G. Steven Pigeon. Mr. Pigeon was sentenced before your honor on July 27, 2022, to four months of incarceration and one year of supervised released. At the time of sentencing Mr Pigeon was represented by Paul Cambria.

Mr. Pigeon was released from custody on March 27, 2023. Because of a series of errors, miscommunications and misunderstandings, he did not report to his supervised released within 72-hours as required. Yesterday, I was notified by U.S. Probation Officer Christopher Calero of this problem. I was unaware of the Judgment, or that supervised release was imposed, as I did not represent him on the federal matter. I immediately contacted Mr. Pigeon who had just boarded a flight to Florida. I instructed him to get off the flight and report to probation immediately, which he did.

It appears a series of errors led to Mr. Pigeon's failure to report. According to Mr. Pigeon, at the time of his sentencing, he failed to hear much, if any, of the sentence beyond being incarcerated. This is an issue I have seen often when criminal defendants are sentenced to incarceration. It also appears he was never given a copy of the Judgment, nor was it reviewed with him by prior counsel. Additionally, while visiting Mr. Pigeon in custody, he asked me if there were any conditions related to his release. Given that I represent him on state charges before Justice Boller, I had assumed he was inquiring about his release on those charges. I told him there were none. Apparently, my client meant this question to include both the prior federal case and the current state case. As such, as soon as Mr. Pigeon and myself found out he needed to report to supervised release, he did so immediately by de-boarding the plane, at the Buffalo Airport, and going directly to the U.S. Probation Office.

I have spoken to the U. S. Probation Officer Christopher Calero, who indicated that he has no intention of filing a delinquency because of the misunderstanding. I also advised him I was bringing this application for a travel permit.

I am asking that you consider allowing Mr. Pigeon to travel to Naples, Florida, as soon as possible, until May 10, 2023. This travel request is not for pleasure, but for Mr. Pigeon's employment. I had an opportunity to speak with B. Thomas Golisano, who indicated that Mr. Pigeon is employed by him. Mr. Pigeon has been engaged as a consultant helping Golisano launch The Golisano Institute for Business and Entrepreneurship. This new venture is being funded and endowed by Mr. Golisano in Rochester, with its inaugural class set to begin in September 2023. The school is opening in a 126,000 square foot building in Brighton, NY. The point of the school is to offer a two-year, Associates Degree in Business Management including "highly concentrated business related curriculum in an experimental learning center." There are currently 50 students fully enrolled and they have held at that number until they can confirm the school will be operational in September, once that is confirmed they will accept another 200 students for the fall.

Prior to realizing, or recalling, he was supposed to report for supervised release, Mr. Pigeon had already spent about ten days in Florida with Mr. Golisano, working to further develop the curriculum, hire administrators, staff and instructors in order to launch the school on time. I have attached two articles about the school and its plan to open in September.

The deadline to open the school is looming and there is much to be done. During my conversations with Mr. Golisano, he indicated that it was of the utmost importance that Mr. Pigeon be allowed to travel to Naples, Florida and to continue as a consultant for the school in order for it to open as scheduled. Mr. Golisano expects to continue employing Mr. Pigeon up to and through the opening of the school, and at least for the remainder of 2023. This work will continue beyond May 10, when Golisano is scheduled to return from his home in Florida, but thereafter will take place here in the Western District of New York. I, in fact, prior to the knowing of the supervised release situation, had planned a trip to travel to Naples this Saturday, Sunday, Monday and Tuesday for the purposes of meeting with Mr. Pigeon, Mr. Golisano and others as it relates to some of the issues contained herein.

I know this is an unusual request, as Mr. Pigeon was just placed on supervised release and had an issue getting started. However, I would note that he has been very engaged with me and his pending case. He has been in regular phone contact with me, met with me in my office and flew to New York to appear in court this past week. I do not believe he is a flight risk, or that this travel permit would in any way interfere with his supervision. In fact, it would comply with the terms of his release to be employed. I would also note he is 62 years old and fully complies with the terms of his pretrial release on both state and federal courts.

Mr. Pigeon would be more than willing to appear before your Honor, should you desire, for further proceedings on this request. I can make myself available to appear in person at any point tomorrow or virtually next Monday or Tuesday, as I will be in Naples meeting with Mr. Golisano and others, as previously described. Anytime thereafter, I can appear in person.

Thank you for your attention to this matter.

Respectfully submitted,



James Nobles, Esq.

cc: Christopher Colero
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2 Niagara Square
Buffalo, NY 14202

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encl.

News & Blog

Golisano Institute Announces President

December 8, 2022



ROCHESTER, NY – December 8, 2022 – The Golisano Institute for Business & Entrepreneurship, a not-for-profit two-year certificate program comprised exclusively of business-related subject matter aimed at reducing the time and cost of a traditional business school education, is pleased to announce Ian Mortimer will serve as the inaugural President.

“Ian possesses the qualifications and expertise to guide our institute into a well-respected and sought-after business education alternative,” said Tom Golisano. “He knows our mission, embodies the entrepreneurial spirit, and is committed to our business-centric ethos.”

Mr. Mortimer is widely regarded as a collaborative and innovative higher education leader who has worked with institutions to shape key initiatives over the past 30 years. He is coming to the Golisano Institute for Business & Entrepreneurship from Rochester Institute of Technology (RIT) where he served as the Vice President for Enrollment Management & Associate Provost. In addition to serving RIT, Ian held senior-level leadership positions at Nazareth College and Champlain College in Burlington, VT. He is a double-graduate of St. Bonaventure University with a BA in English and MEd in Counseling Psychology, has a MBA from the Saunders College of Business at RIT, and is finishing up his doctorate in business from Drexel University’s LeBow College of Business.

“I am incredibly honored to serve as the inaugural president of the Golisano Institute for Business & Entrepreneurship. It will be a privilege to work with the team to build the institute and next chapter of higher education,” said Ian Mortimer. “There is a clear urgency to provide first-rate, affordable education and the Golisano Institute will situate itself perfectly as a leading option for learners to receive the highest quality academic and experiential program, while being more economical from an accelerated schedule and lower cost.”

For more information on the Golisano Institute for Business & Entrepreneurship, visit GolisanoInstitute.org.

About Golisano Institute for Business & Entrepreneurship

Golisano Institute for Business & Entrepreneurship offers a timely and affordable alternative path to a business education for high school graduates and young working professionals. Our two-year certificate program provides an intensive immersion in business-related coursework and an experiential learning environment. Our purpose is to efficiently turn out highly trained entrepreneurs in the greater Rochester region.

About Tom Golisano

B. Thomas Golisano is an entrepreneur, philanthropist, and civic leader born and raised in Rochester, New York. He has demonstrated an ongoing dedication and commitment to building innovative businesses, supporting numerous non-profit organizations, and advocating for inclusive health and several civic issues. He has contributed over \$330 million to many local and national organizations, children's hospitals, and other non-profit organizations. He also has a family foundation that specializes in assisting organizations that serve people with intellectual and developmental disabilities.

Mr. Golisano is the founder of Paychex, Inc., the nation's largest human resource company for small to medium-sized businesses. It provides integrated human capital management solutions for payroll, benefits, human resources, and insurance services for more than 730,000 clients in the U.S. and Northern Europe. He was also owner of the Buffalo Sabres hockey team, a three-time candidate for governor of New York, and is an investor in more than 25 outside enterprises. His investments have helped drive the success of numerous businesses, including start-ups.

Mr. Golisano graduated from Alfred State with a two-year associate degree in general business management and has received five honorary doctoral degrees from Rochester-area colleges and universities. He has written two books entitled *Built Not Born* and *The Italian Kid Did It!*

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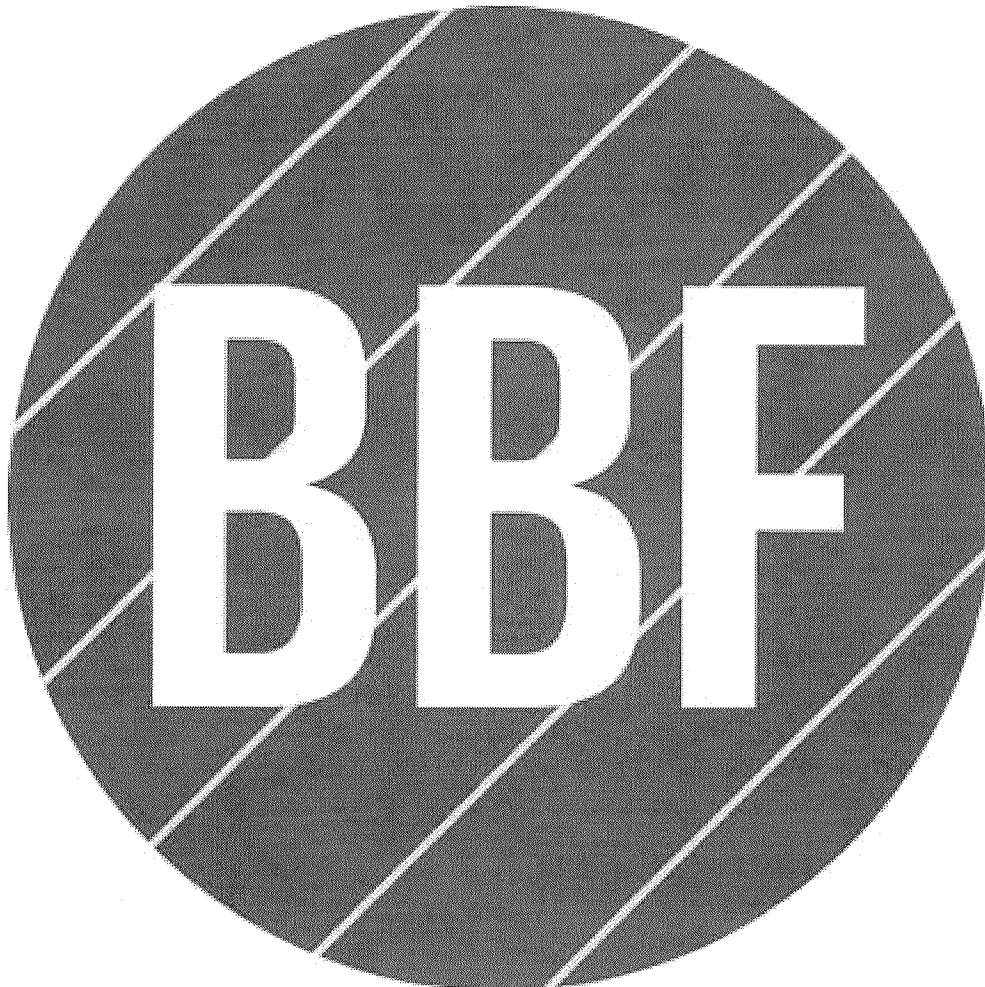
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News & Blog

Tom Golisano launches Rochester business school to meet workforce needs

March 7, 2023



Mar 6, 2023, 6:00am EST

Golisano Institute for Business & Entrepreneurship is located at 150 Sawgrass Drive, Rochester.

During a time when many colleges are struggling with declining revenue and enrollment — which prompts mergers, acquisitions and closures — Tom Golisano, founder of Paychex Inc. and former owner of the Buffalo Sabres, is opening a business school.

The Golisano Institute for Business & Entrepreneurship is a not-for-profit two-year certificate program focused on business. The school, located at 150 Sawgrass Drive in Rochester, is opening this fall.

“

We think this model is very workable, very successful,” said Golisano, who is an entrepreneur and philanthropist and has invested in multiple regional companies. “It’s going to very much satisfy the needs that exist in our world.”

He aims to make school more affordable, more time efficient and more able to ensure graduates of the institute get jobs.

When he talks with employers, he hears two main prerequisites that they’re looking for: One, that people come to them with a functional knowledge of business in order to be successful, and two, that they have professional behaviors and attitudes.

Here’s how he’s setting out to fulfill those needs:

Low cost: The cost per year is \$8,900, and there’s financial help for those who need it. Golisano is financing the school’s endowment so tuition can be affordable.

Time efficient: The school aims to reduce the time it takes to get an education by offering classes year-round so students can complete the business certificate in two years. Classes are also all done by around 1 p.m., so that students can work or fulfill other obligations in the afternoon and more easily afford their education.

Professional environment: Walking into the institute will be like entering a professional workplace. Work casual attire will be required and the school’s expectations will be like those of an employer.

Curriculum. All courses but two, psychology and oral and written communication, are business-specific. The curriculum is designed to be highly integrated with employers where half of each class is dedicated to applying specific business questions in a real-world context, both through helping existing business people solve problems they face and using entrepreneurs as case studies.

Every Wednesday morning, Golisano will bring in an entrepreneur to talk to the class, from personal history to mistakes to what's next.

“

It will give opportunities to students to hear life stories, real things that

GOLISANO INSTITUTE
for BUSINESS & ENTREPRENEURSHIP

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The institute is aiming to enroll 250 new students per year and expects to hire about 25 faculty to start, according to President Ian Mortimer.

Mortimer has worked in higher education for more than 30 years, with his most recent role being vice president for enrollment management and associate provost at the Rochester Institute of Technology.

He got his bachelor's in English and his master's in education in counseling psychology from St. Bonaventure University, has an MBA from the Saunders College of Business at RIT and is finishing up his doctorate in business from Drexel University's LeBow College of Business.

Long term, Golisano thinks the Rochester business school is just the beginning.

“There's no reason why, once the model is established in Rochester, we can't take it to other cities across the country,” he said. “I'm sure entrepreneurs across the country would see this as an opportunity.”

Lian Bunny Reporter – Buffalo Business First

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